AN ORDINANCE AUTHORIZING EXECUTION OF MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION’S STATE BLOCK GRANT AGREEMENT, AMENDMENT #3, AIRPORT IMPROVEMENT PROGRAM GRANT – PROJECT 16-111A-1, TO EXTEND THE PROJECT TIME PERIOD TO ALLOW FOR COMPLETION OF THE WORK FOR DESIGN AND CONSTRUCTION OF APRON REHABILITATION AT SMARTT FIELD AIRPORT

WHEREAS, pursuant to Section 135.410, Ordinances of St. Charles County, Missouri (“OSCCMo”), St. Charles County has applied for the grant identified in this ordinance; and

WHEREAS, the County Council adopted Ordinance 17-034 for the design of the rehabilitation of portions of the airport’s concrete pavement; and

WHEREAS, the County Council adopted Ordinance 17-087 for Amendment #1 to State Block Agreement, CFDA #20.106 for Project No. 16-111A-1 which covers the design, engineering and construction of a pavement rehabilitation project for the west ramp at SMARTT Field Airport; and
WHEREAS, the County Council adopted Ordinance 18-082 for Amendment #2 to State Block Agreement, CFDA #20.106 for Project No. 16-111A-1, for St. Charles County to design and construct April Rehabilitation at the Airport, for the completion of additional repairs needed on the airport airfield ramp which consisted of the design, engineering and construction of a pavement rehabilitation project for the west ramp at SMARTT Field Airport; and

WHEREAS, the Missouri Highways and Transportation Commission has offered Amendment #3 to State Block Grant from the Federal Aviation Administration (“FAA”) to St. Charles County to extend the project time period of June 1, 2019 to June 1, 2020 to allow for completion of the work; and

WHEREAS, there are no costs associated with Amendment #3 to State Block Agreement, CFDA #20.106 for Project No. 16-111A-1; and

WHEREAS, the St. Charles County Charter, Article VI, Section 6.208 authorizes the County Council to provide by ordinance any and all procedures for administering the budget that are necessary and that do not conflict with the language contained in the Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County Executive is hereby authorized to execute the State Block Grant Agreement, Amendment #3,
CFDA #20.106 for Project No. 16-111A-1, attached hereto as EXHIBIT A.

Section 2. Compliance with the terms of State Block Grant Agreement, Amendment #3, CFDA #20.106 for Project No. 16-111A-1 shall be the responsibility of the Highway Department.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval and such grant agreements shall be valid upon its execution by the appropriate officials of each governmental entity entering into the agreement as required by Chapter 70 of the Revised Statutes of Missouri.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR
AMENDMENT #3

THIS AGREEMENT AMENDMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the County of St. Charles (hereinafter, "Sponsor").

WITNESSETH:

WHEREAS, the parties entered into an Original Agreement executed by the Sponsor on April 11, 2017, and executed by the Commission on April 18, 2017, (hereinafter, "Original Agreement") under which the Commission granted the sum not to exceed Eighty-Three Thousand One Hundred Ninety-Eight Dollars ($83,198) to the Sponsor to assist with Design Apron Rehabilitation; and

WHEREAS, the parties entered into an Amendment #1 to the Original Agreement executed by the Sponsor on October 5, 2017, and executed by the Commission on October 12, 2017, (hereinafter, "Amendment #1") under which the Commission granted an additional sum not to exceed Five Hundred Fifty-One Thousand Seven Hundred Ninety-Eight Dollars ($551,798) to the Sponsor to assist with Design and Construct Apron Rehabilitation and extended the project time period from October 1, 2017 to September 30, 2018 to allow for completion of the work; and

WHEREAS, the parties entered into an Amendment #2 to the Original Agreement executed by the Sponsor on September 25, 2018, and executed by the Commission on October 5, 2018, (hereinafter, "Amendment #2") under which the Commission granted an additional sum not to exceed Two Hundred Sixty-Eight Thousand Seven Hundred Twenty-One Dollars ($268,721) to the Sponsor to assist with Design and Construct Apron Rehabilitation and extended the project time period from September 30, 2018 to June 1, 2019 to allow for completion of the work; and

WHEREAS, the parties wish to extend the project time period to allow for completion of the work.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:
(1) **PROJECT TIME SCHEDULE:** Based upon the revised project schedule, the project time period of June 1, 2019 will be extended to June 1, 2020, to allow for completion of the work. Paragraph (1) (D) of Amendment #2 is hereby amended accordingly.

(A) The project will be carried out in accordance with the assurances (Exhibit 1) given by the Sponsor to the Commission as specified in the Amendment #1.

(B) This Amendment shall expire and the Commission shall not be obligated to pay any part of the costs of the project unless this grant amendment has been executed by the Sponsor on or before March 15, 2020, or such subsequent date as may be prescirted in writing by the Commission.

(C) All other terms and conditions of the Original Agreement, Amendment #1, and Amendment #2 entered into between the parties shall remain in full force and effect.

*[Remainder of Page is Intentionally Left Blank]*
IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below:

Executed by the Sponsor this ___ day of ____________, 20__.

Executed by the Commission this ___ day of ____________, 20__.

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION**

______________________________
Title _______________________

______________________________
Secretary to the Commission

Approved as to Form:

______________________________
Commission Counsel

**COUNTY OF ST. CHARLES**

By _______________________
Title _______________________

By _______________________
Title _______________________

Approved as to Form:

______________________________
Title _______________________

Ordinance No. _______________________
(if applicable)